

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

Timothy Friel

Case No.

18-173-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 25, 2018 & February 6, 2018 in the county of Bucks in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

18 U.S.C. § 2252(a)(2)
 18 U.S.C. § 2252(a)(4)(B)

Offense Description

Receipt of Child Pornography.
 Distribution of Child Pornography.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.*Complainant's signature*

FBI S/A Daniel J. Johns

Printed name and title

Sworn to before me and signed in my presence.

Date:

FEB 6, 2018*Judge's signature*

City and state:

Philadelphia, PA

Hon. David R. Strawbridge, USMJ

Printed name and title

AFFIDAVIT

I, Daniel J. Johns, being first duly sworn, hereby depose and state as follows:

1. I am employed as a Special Agent of the Federal Bureau of Investigation (FBI) in Philadelphia, Pennsylvania. I am thus a "federal law enforcement officer," as defined by the Federal Rules of Criminal Procedure. I have been employed as a Special Agent since March 2007. I am presently assigned to the Philadelphia Division's Crimes Against Children squad, which investigates child pornography offenses, sex trafficking of children, prostitution by force, fraud or coercion, and kidnappings, among other violations of federal law. I have gained experience through training at the FBI Academy, various conferences involving crimes against children, and everyday work related to conducting these types of investigations.

2. I make this affidavit in support of the attached complaint charging Timothy FRIEL with: 1) on or about January ^{10 PM} ~~25~~, 2018, receiving child pornography, in violation of 18 U.S.C. § 2252(a)(2), and 2) on or about February 6, 2018, possessing child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B).

3. The statements in this affidavit are based in part on my investigation of this matter and on information provided by other law enforcement officers. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of the attached complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause in support of the complaint.

4. Timothy FRIEL resides at 169 Durham Road, Apartment B, Penndel, PA 19047. On February 5, 2018, the Hon. David R. Strawbridge, United States Magistrate Judge, issued a search warrant authorizing the search of 169 Durham Road, Apartment B, Penndel, PA 19047 for

certain items likely to constitute evidence of certain child pornography offenses (particularly violations of 18 U.S.C. §§ 2251(a), 2251(d), 2252(a)(2) and 2252(a)(4)(B) (See Mag No. 18-162). The warrant was executed on February 6, 2018. FRIEL was present at the time the search warrant was executed. FRIEL informed law enforcement officers that he lived at 169 Durham Road, Apartment B, Penndel, PA 19047 alone; that he was responsible for arranging Internet service at the residence; and that he had arranged for wireless access to Internet service at the residence to be password-protected.

5. Numerous electronic devices and digital storage media were recovered during the execution of the search warrant at FRIEL's residence. Among the items recovered were multiple PNY USB thumb drives containing multiple images and videos of child pornography.¹ These include, but are not limited to, the following:

a. A silver 64GB thumb drive containing a video file with filename “(~pthc center~)(opva)(2013) School Blowjob & Cumbshot – Sao Carlos – Brasil.mp4”).² I viewed this video. It is approximately 49 seconds long, and depicts a minor female performing oral sex on an adult male and masturbating the adult male.

b. A black 64 GB thumb drive containing a video file with filename “bunnibaby0_-_Live_on_YouNow.flv”. I viewed this video. It is approximately 9 minutes and 42 seconds long, and depicts a minor female appearing to be under the age of 14, engaged in the lascivious exhibition of her genitals.

c. A silver 64 GB thumb drive containing an image file with filename

¹ PNY thumb drives are not manufactured in Pennsylvania.

² From my training and experience, I know that “pthc” in this context is an acronym for “preteen hardcore.”

“136815258392.jpg”. I viewed this image. It depicts a minor female appearing to be under the age of 14, engaged in the lascivious exhibition of her genitals.

d. A silver 64 GB thumb drive containing a video file with the filename “10.flv”. I viewed this video. It is approximately 5 minutes and 18 seconds long, and depicts a minor female engaged in the lascivious exhibition of her genitals.

6. Also recovered from inside FRIEL’s residence was a black Apple iPhone, Model A1784. FRIEL identified this iPhone as belonging to FRIEL. When agents recovered the iPhone, before conducting any search of its contents, agents noted that it continued to receive notifications advising its user that various apparent females were actively live-streaming video content through the Internet-based communications service Live.me. On February 6, 2018, the Hon. David R. Strawbridge, United States Magistrate Judge, issued a search warrant authorizing the search of the Apple iPhone, and further directing FRIEL to facilitate the execution of the warrant if necessary by unlocking the phone with his fingerprint or thumbprint (see Mag. No. 18-169).

7. Law enforcement officers accessed the contents of the iPhone pursuant to the warrant. Among the contents of FRIEL’s iPhone were several videos of Live.me broadcasts that had been screen-captured by FRIEL. *Offscreen shots of* Multiple videos captured and stored in FRIEL’s iPhone depicted a minor engaged in sexually explicit conduct (in particular, masturbation and/or the lascivious exhibition of the minor’s genitalia). Metadata associated with one *of such videos* *10* revealed that it had been screen-captured on or about January *28*, 2018.

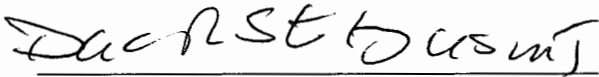
8. Based upon the foregoing, I respectfully submit that there is probable cause to believe that Tim FRIEL did, on or about January *10* *23*, 2018, receive child pornography, in violation of 18 U.S.C. § 2252(a)(2), and did, on or about February 6, 2018, possess child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B). I therefore respectfully request that the Court issue the

attached complaint charging FRIEL with those offenses, as well as the attached warrant for FRIEL's arrest.



DANIEL J. JOHNS
Special Agent, Federal Bureau of Investigation

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 6th DAY
OF FEBRUARY, 2018.



HON. DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE